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including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

REMARKS

Restriction/Election:

In the Office Action, a Restriction/Election was imposed, and Applicants were requested to select a group of species from the following:

Group I, claims 1-29 (in part), drawn to compounds of the formula where R⁴ is a heteroaromatic moiety;

Group II, claims 1-29 (in part), drawn to compounds of the formula where R⁴ is an amine;

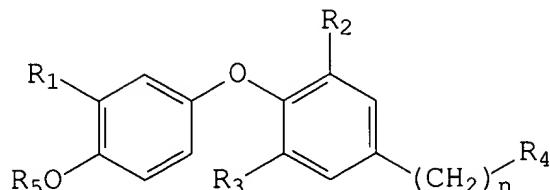
Group III, claims 1-29 (in part), drawn to compounds of the formula where R⁴ is an acylsulfonamide; and

Group IV, claims 1-29 (in part), drawn to compounds of the formula where R⁴ is carboxylic acid amide.

Applicants herein elect with traverse the claims and species of **Group IV, where R⁴ is carboxylic acid amide.** In addition, Applicants reserve the right to file divisional applications on the nonelected groups and/or species under 35 USC §121, and claim priority to this application under 35 USC §120.

Claim Amendments

Applicants herein amend claim 1 to recite a compound having the formula



wherein

n is an integer from 0 to 4;

R₁ is C₁ to C₆ alkyl or C₃ cycloalkyl;

R₂ and R₃ are the same or different and are hydrogen, halogen, alkyl of 1 to 4 carbons, at least one of R₂ and R₃ being other than hydrogen;

R₄ is a heteroaromatic moiety which may be substituted or unsubstituted and is linked to (CH₂)_n via a nitrogen atom or a carbon atom; an amine (NR'R''), including those in which the amine is derived from an alpha amino acid of either natural (L) or unnatural (D) stereochemistry; an acylsulphonamide (CONHSO₂R'); or a carboxylic acid amide (CONR'R'') in which R' and R'' are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted with the proviso that when n equals zero (n=0), then R₄ can only be a carboxylic acid amide or an acylsulphonamide;

R₅ is hydrogen or an acyl (such as acetyl or benzoyl) or other group capable of bioconversion to generate the free phenol structure (where in R₅ = H);

including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

Claim 1, as amended, now recites that R₁ includes C₁ to C₆ alkyl groups or a 3-carbon cycloalkyl group. Claim 1, as amended, also now further recites that the carboxylic acid amide (CONR'R") group recited for substituent R₄ includes R' and R" moieties that are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted.

Applicants submit that support for the amendments to the recitation of the R₁ substituent may be found in the specification at page 5, lines 4 and 31. Support for the recitation of the R₄ carboxylic acid amide substituents may be found in the specification at page 3, lines 22-24. Accordingly, no new matter is added herewith.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

JON HANGELAND ET AL.

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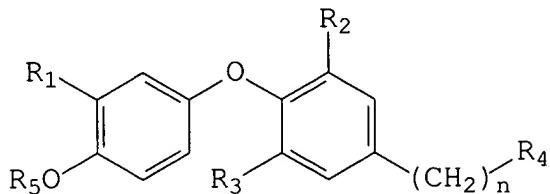
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Date: 4 FEB 2003

APPENDIX I**CLAIM AMENDMENTS UNDER 37 CFR 1.121(c) (ii)**

Claim 1 is REWRITTEN as follows:

1. (Amended) A compound having the formula



wherein

n is an integer from 0 to 4;

R₁ is [halogen, trifluoromethyl, or alkyl of 1 to 6 carbons or cycloalkyl of 3 to 7 carbons] C₁ to C₆ alkyl or C₃ cycloalkyl;

R₂ and R₃ are the same or different and are hydrogen, halogen, alkyl of 1 to 4 carbons, at least one of R₂ and R₃ being other than hydrogen;

R₄ is a heteroaromatic moiety which may be substituted or unsubstituted and is linked to (CH₂)_n via a nitrogen atom or a carbon atom; an amine (NR'R''), including those in which the amine is derived from an alpha amino acid of either natural (L) or unnatural (D) stereochemistry; an acylsulphonamide (CONHSO₂R'); or a carboxylic acid amide (CONR'R'') in which R' and R'' are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted with the proviso that when n equals zero (n=0), then R₄ can only be a carboxylic acid amide or an acylsulphonamide;

R₅ is hydrogen or an acyl (such as acetyl or benzoyl) or other group capable of bioconversion to generate the free phenol structure (wherein R₅ = H);

including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

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